

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARBUTUS BIOPHARMA CORPORATION)	
and GENEVANT SCIENCES GmbH,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 22-252 (MSG)
)	
MODERNA, INC. and MODERNATX, INC.)	
)	
Defendants.)	
<hr/> MODERNA, INC. and MODERNATX, INC.,)	
)	
Counterclaim-Plaintiffs,)	
)	
v.)	
)	
ARBUTUS BIOPHARMA CORPORATION)	
and GENEVANT SCIENCES GmbH,)	
)	
Counterclaim-Defendants.)	

STIPULATION AND ORDER TO EXTEND TIME

WHEREAS, on June 20, 2024, the Court granted Plaintiffs leave to extend the discovery period to July 17, 2024 solely to permit Plaintiffs to serve subpoenas on various third-party manufacturers (D.I. 355);

WHEREAS, Plaintiffs subsequently served subpoenas on four of the manufacturers located in the United States (D.I. 380-383) and forwarded Letters of Request directed to foreign manufacturers to the appropriate authorities in Spain and Italy,

WHEREAS, pursuant to the prior stipulations between the parties, the deadline for fact discovery related to these subpoenas and Letters of Request is currently October 17, 2024 (D.I. 390 & 406);

WHEREAS, production from U.S.-based manufacturers is nearly complete, but the manufacturers have yet to complete the relevant certifications regarding the business records status of the productions;

WHEREAS, the Letters of Request have been acknowledged by the appropriate foreign authorities but the foreign manufacturers have yet to respond; and

WHEREAS, Pursuant to D. Del. LR 16.4, counsel certifies that copies of this stipulation have been sent to their respective clients;

NOW THEREFORE, the parties hereby stipulate and agree, subject to the approval of the Court, that the deadline for the completion of fact discovery relating to the subpoenas and Letters of Request to the third-party manufacturers is extended through and including November 20, 2024.

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Dated: October 15, 2024

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Attorneys for Defendants

SO ORDERED this 15th day of October, 2024

/s/ Mitchell S. Goldberg
Hon. Mitchell S. Goldberg